

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

A. RODELL SEVERSON,

No. 04-319E

Plaintiff,

v.

THOMAS S. CASTILLENTE and REVA J.
CASTILLENTE,

**MOTION TO COMPEL DISCOVERY
DIRECTED TO PLAINTIFF**

Defendants.

Filed on behalf of Defendants

Counsel of record for this party:

Brant T. Miller, Esq.
PA I.D. 83297

Jennifer L. Rea, Esq.
PA I.D. 89542

DICKIE, McCAMEY & CHILCOTE, P.C.
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JURY TRIAL DEMANDED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

A. RODELL SEVERSON,)	
)	
Plaintiff,)	
)	
v.)	No. 04-319E
)	
THOMAS S. CASTILLENTI and REVA J.)	
CASTILLENTI,)	
)	
Defendants.)	

MOTION TO COMPEL DISCOVERY DIRECTED TO PLAINTIFF

AND NOW, comes Defendants, Thomas S. Castillenti and Reva J. Castillenti, by and through their attorneys Dickie, McCamey & Chilcote, P.C. and file the following Motion to Compel, averring as follows:

1. Plaintiff in this actions seeks rescision of the sale of commercial property located in Bradford, McKean County, Pennsylvania, identified as McKean County Tax Assessment Map No. 04-411-314.1 and commonly known as 133 Mill Street/209 Williams Street (hereinafter "property").

2. During the course of discovery, defendants forwarded Interrogatories and Requests for Production of Documents to counsel for the plaintiff on May 10, 2005. (Please refer to Exhibit "A").

3. On July 7, 2005, counsel for defendants granted plaintiff an extension to respond to said discovery requests until July 12, 2005. (See Exhibit "B").

4. As of the present time, counsel for the defendants have received no responses to the outstanding discovery requests.

5. Counsel for plaintiff has not filed any objections to the discovery requests at issue.

6. The information requested by these defendants is relevant to this matter, and defendants would be severely prejudice by plaintiff's failure to provide the information requested in the Interrogatories and Requests for Production of Documents.

WHEREFORE, Defendants Thomas S. and Reva J. Castillenti, respectfully request that this Honorable Court enter an Order granting plaintiff to file full and complete responses to the Interrogatories and Requests for Production of Documents within twenty (20) days of the date of the attached Order or suffer such sanctions as this Court may deem appropriate.

Respectfully submitted,

DICKIE, MCCAMEY & CHILCOTE, P.C.

By /s/ Brant T. Miller

Brant T. Miller, Esquire

Jennifer L. Rea, Esquire

Attorneys for Defendants, Thomas S.
Castillenti and Reva J. Castillenti

CERTIFICATE OF SERVICE

I, Jennifer L. Rea, Esquire, hereby certify that true and correct copies of the foregoing **MOTION TO COMPEL DISCOVERY DIRECTED TO PLAINTIFF** have been served this 28th day of July, 2005, by U.S. first-class mail, postage pre-paid, to counsel of record listed below:

Bryan Fife, Esquire
Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc.
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Attorney for Plaintiff

DICKIE, McCAMEY & CHILCOTE, P.C.

By /s/ Brant T. Miller
Brant T. Miller, Esquire

Attorneys for Defendants,
Thomas S. Castillenti and
Reva J. Castillenti